



मध्यप्रदेश राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 361]

भोपाल, गुरुवार, दिनांक 20 जुलाई 2017—आषाढ़ 29, शक 1939

विधि और विधायी कार्य विभाग

भोपाल, दिनांक 20 जुलाई 2017

क्र. 12256-157-इक्कीस-अ-(प्रा.).—भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में, मध्यप्रदेश जैव अनाश्य अपशिष्ट (नियंत्रण) संशोधन विधेयक, 2017 (क्रमांक 13 सन् 2017) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है.

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,
राजेश यादव, अतिरिक्त सचिव.

MADHYA PRADESH BILL

No. 13 of 2017

THE MADHYA PRADESH JAIV ANAASHYA APASHISHTA (NIYANTRAN) SANSHODHAN VIDHEYAK, 2017.

A Bill to amend the Madhya Pradesh Jaiv Anaashya Apashishta (Niyanttran) Adhiniyam, 2004.

Be it enacted by the Madhya Pradesh Legislature in the Sixty-eighth year of the Republic of India as follows :—

1. This Act may be called the Madhya Pradesh Jaiv Anaashya Apashishta (Niyanttran) Sanshodhan Adhiniyam, 2017. **Short title.**

2. In Section 2 of the Madhya Pradesh Jaiv Anaashya Apashishta (Niyanttran) Adhiniyam, 2004 (No. 20 of 2004) (hereinafter referred to as the principal Act), after clause (i), the following clause shall be inserted; namely :— **Amendment of Section 2.**

“(ia) “plastic carry bags” means bags made from any plastic material used for the purpose of carrying or dispensing commodities, but do not include bags that constitute or form an integral part of the packaging in which goods are sealed prior to use :

Provided that the bag which is used for packaging shall be treated as plastic carry bag, if it is re-cycled;”.

Substitution of Section 3.

3. For Section 3 of the principal Act, the following Section shall be substituted namely :—

Prohibition on usage of plastic carry bags.

“ 3. The State Government may, if it consider necessary so to do in the public interest, notify the thickness of plastic carry bags or containers, for the production, storage, transportation, sale and use thereof, or by a notification, completely ban the production, storage, transportation, sale and use of plastic carry bags in the entire State or any part of the State.”.

Repeal and savings.

4. (1) The Madhya Pradesh Jaiv Anaashya Apashishta (Niyantiran) Sanshodhan Adhyadesh, 2017 (No. 1 of 2017) is hereby repealed.,

(2) Notwithstanding the repeal of the said Ordinance, anything done or any action taken under the said Ordinance shall be deemed or deemed to have been done or taken under the corresponding provisions of this Act.

STATEMENT OF OBJECTS AND REASONS

In the Madhya Pradesh Jaiv Anaashya Apashishta (Niyantiran) Adhinyam, 2004 (No. 20 of 2004), certain amendments are proposed to be made. The salient features of the proposed amendments are as under :—

- (1) In Section 2 of the Act definition of “Plastic carry bag” is being inserted.
- (2) Use of plastic carry bag, not only imbalances the environment but also adversely affect the human life. The provision of Section 3 of the Act specified the thickness of the plastic carry bags to be used by public. In order to protect environment and to remove danger to human life and public health, necessary amendment is proposed in Section 3 so as to empower the State Government to notify the thickness of plastic carry bags or to notify complete ban on plastic carry bags.

2. As the matter was urgent and the Madhya Pradesh Legislative Assembly was not in Session, the Madhya Pradesh Jaiv Anaashya Apashishta (Niyantiran) Sanshodhan Adhyadesh, 2017 (No. 1 of 2017) was promulgated for the purpose. It is now proposed to replace the said Ordinance by an Act of the State Legislature without any modification.

3. Hence this Bill.

Bhopal :

Dated the 7th July, 2017

ANTAR SINGH ARYA

Member-in-Charge.